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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,329	03/05/2002	Paul T. Bloomquist	884.724US1	7150
21186	7590	06/17/2005	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402-0938			TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/091,329	Applicant(s) PAUL T. BLOOMQUIST	
	Examiner lan dai thi truong	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Claim rejections-35 USC § 101**

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 9-11 and 15-20 are not limited to tangible embodiments. In view of applicant's disclosure, specification page 6, lines 25-26, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., CD-ROM drive, hard disk drive or diskette) and intangible embodiments (e.g., transmission medium such as through a communication network). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

### **Claim rejections-35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1) Claims 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Todd et al. (U.S. 6,742,059), "Todd", herein after.

**In referring to claim 9:**

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Todd discloses an apparatus comprising:

An object: (column 5, lines 20-35)

A client application to poll a server for a status of the object; and display the status (Todd discloses a client able to poll the server for changing status: column 4, lines 1-9)

A script application to detect the object in the page, inform the client application of the object: (Todd discloses a GUI enabling user to analyze and display a changed status supplied from the server: column 4, lines 1-9).

**In referring to claim 10:**

Todd discloses an apparatus comprising:

The script application is interpreted by a browser (Todd discloses the GUI receives changed objects from server and displays updated status: column 5, lines 20-30)

**In referring to claim 11:**

Todd discloses an apparatus comprising:

Receiving the status from the server and find a method in the script application associated with the object to execute (Todd discloses a client application receives changed objects and displays them as iconically depicts: column 5, lines 20-35, 50-55)

**Claim rejections-35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2) Claims 1-8 are rejected under 35 U.S.C 103(a) as being un-patentable over Dillingham (U.S. 6,327,608) in view of Todd et al. (U.S. 6,742,059), and further in view of Smith et al. (U.S. 6,771,744)**

**In referring to claim 1, which is exemplary of claims 5 and 8:**

Dillingham discloses an apparatus comprising:

Sending a request for an operation selected from a page to a server: (Dillingham: abstract, lines 1-6, 18-22; column 1, lines 14-17; column 2, lines 38-50; column 7, lines 45-52).

The page is displayed by a browser interpreting data and control information in the page: (Dillingham: abstract, lines 8-21; column 2, lines 28-67; column 3, lines 45-67; column 4, lines 1-4).

However Dillingham does not explicitly disclose method of polling the server and verification whether request has received or not yet.

Todd discloses the client may poll repeatedly on a periodic basis until the response is ready, see (Todd: column 4, lines 1-4).

Smith discloses “the confirmation” which is equivalent to “the verification” is received to indicate “the information” which is equivalent to “request” entered into the screens by the technician has been successfully transmitted to the technician server for further processing, see (Smith: column 1, lines 63-67; column 2, lines 65-66; column 3, lines 8-10; column 5, lines 48-61).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made combine Smith’s ideas of sending out the confirmation to indicate that

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the request has receive, and Todd's ideas of polling for results with Dillingham's system in order to provide a telecommunication system wherein a requested service can not be processed until receiving the confirmation which indicates that the request has been successfully transmitted, see (Smith: column 5, lines 48-61).

**In referring to claims 3-4 and 6-7:**

Although Dillingham-Todd-Smith does not explicitly disclose there is a link to the application and application is embedded in the page, but Todd discloses the server agent receives a request from the client GUI for execution the update information of peripheral device. So there is application is embedded in the page and the link must exits between page and the application (Todd: column7, lines 1-52, column 8, lines 22-67)

**In referring to claim 2, the limitation:**

Dillingham-Todd-Smith discloses the result of the operation displaying in the page:  
(Dillingham: column 3, lines 60-67; column 2, lines 39-56, 63-67)

**3) Claims 12-14 are rejected under 35 U.S.C 103(a) as being un-patentable over Dillingham (U.S. 6,327,608) and Robert et al. (U.S. 6,295,551),**

**In referring to claim 12, which is exemplary of claim 14:**

Dillingham discloses an apparatus comprising:

A processor: (see: fig1, items 22 and 34).

Memory coupled to the processor: (see: fig1, items 22 and 34)

Server application builds a page comprising an object, control information, and an initial status of the object, send the page to a client: (Server side Asp script create a formatted dialog to

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return to the client browser: Dillingham, column 4, lines 45-67; column 5, lines 1-40; column 7, lines 66-67; column 8, lines 13-21; column 9, lines 1-22)

However Dillingham does not explicitly disclose queue a change in the status, and send the change to the client

Robert discloses the user applet collects the update computer queue information and redisplay in the browser: Robert, column 21, lines 1-7)

Therefore, It would have been obvious to a person of ordinary skill in the art at the time invention was made to combine the Robert's ideas of collecting the update computer queue information and redisplay in the browser with Dillingham's system in order to provide the update information to user.

**In referring to claim 13, the limitation:**

Dillingham-Robert does not explicitly disclose:

Client application to perform a poll and wherein the server application is to send the change to the client in response to the poll

Devine discloses the client may poll repeatedly on a periodic basis until the response is ready, see (Devine: column 9, lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Devine's ideas of polling for results with Dillingham's system in order to provide a client-server architecture wherein the server has been polled and has provided its status to the client.

**Claims 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Devine et al. (U.S. 6,385,644) in view of Moeller et al. (U.S. 6,662,208)**

**In referring to claim 15, which is exemplary of claims 16, 17, 18, 19 and 20:**

Devine discloses an apparatus comprising:

An object: (addressed in claim 9 above, this limitation is similar to the limitation that is located at section-1a.)

A script application to detect the object in the page, inform the client application of the object: (addressed in claim 9 above, this limitation is similar to the limitation that is located at section-1b)

However Devine does not explicitly disclose fetching a history of status of the object

Moeller discloses history memory to generate a history of the given device and history database may be display: abstract, lines 3-6; column7, lines 15-35).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made combine Moeller's ideas of storing history of the given device with Devine's system in order to provide object status history, see (Moeller: abstract, lines 12-14).

## **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.



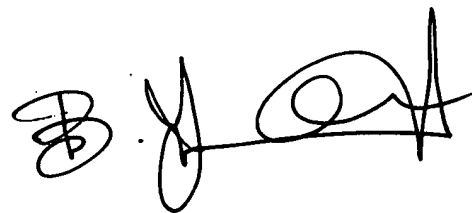
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Dai Thi Truong  
Examiner  
Art Unit 2132

Ldt  
06/09/2005

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines, positioned above the printed name of the examiner.

**BUNJOB JAROENCHONWANIT**  
**PRIMARY EXAMINER**